

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

ISSUE 9: Has BellSouth provided white pages directory listings for customers of other telecommunications carrier's telephone exchange service, pursuant to section 271(c)(2)(B)(viii) and applicable rules promulgated by the FCC? (Musselwhite)

RECOMMENDATION: Yes. BellSouth has provided white page directory listings for customers of other telecommunications carrier's telephone exchange service, pursuant to section 271(c)(2)(B)(viii) and applicable rules promulgated by the FCC.

POSITION OF THE PARTIES

ACSI: Yes.

AT&T: BellSouth has not provided such listings to AT&T. BellSouth cannot meet this requirement until it provides competitors with the same capability to submit orders as BellSouth enjoys. This capability is not yet available.

BST: Yes. BellSouth arranges with its directory publisher to make available white pages directory listings to ALECs and their subscribers which include the subscriber's name, address, and telephone number at no charge.

FCCA: No. The testimony of individual carriers demonstrates that BellSouth has not actually provided these items in Florida as required by the Act and applicable rules.

FCTA: No position.

ICI: BellSouth has provided very limited white pages directory listings for Intermedia's customers. Intermedia does not know, however, if BellSouth will be able to provide such listings in connection with unbundled network elements, which BellSouth has not yet been able to provide.

MCI: No. BellSouth's current OSS do not support white page directory listings on a parity with BellSouth.

MFS/WorldCom: No, BellSouth has not met its burden of proof.

Sprint: No. Incumbent LECs' directories should include other carriers' customers. Listings should be nondiscriminatory. White pages distribution should be nondiscriminatory. Access to yellow pages should be nondiscriminatory. White pages should be included in the wholesale service.

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

TCG: TCG takes no position on this issue. However, BellSouth has the burden to affirmatively demonstrate that it has provided white pages directory listings for customers of other telecommunications carrier's telephone exchange service, pursuant to Section 271(c)(2)(B)(viii) and applicable rules promulgated by the FCC.

STAFF ANALYSIS:

INTERPRETATION OF THE ACT'S REQUIREMENTS

SECTION 271 REQUIREMENTS

Section 271(c)(2)(B)(viii) of the Act requires BellSouth to provide or generally offer white page directory listings for customers of other carriers' telephone exchange service.

FCC'S INTERPRETATION OF SECTION 271 REQUIREMENTS

The FCC's First Report and Order (EXH 1, FCC 96-325) in CC Docket No. 96-98, established the FCC's requirements and rules for unbundling network elements. These requirements include specific requirements that must be met by the incumbent local exchange company (LEC) for white page directory listings.

47 C.F.R. §51.319 requires incumbent LECs to provide nondiscriminatory access to all features, functions, and capabilities of the switch, including white page listings, on an unbundled basis to any requesting telecommunications carrier for the provision of a telecommunication service, in accordance with FCC Rule §51.311, and Section 251(c)(3) of the Act.

47 C.F.R. §51.311 states that the quality of a UNE, as well as the quality of the access to the UNE, that an incumbent LEC provides to a requesting telecommunications carrier shall be the same for all telecommunications carriers requesting access to that network element, and that the quality provided to the ALEC shall be at least equal in quality to that which the incumbent LEC provides to itself.

47 C.F.R. §51.5 defines "directory listings" as any information that identifies the listed names of subscribers of a telecommunications carrier and such subscriber's telephone numbers, addresses, or primary advertising classifications, or any combination of the above, that the telecommunications carrier or an affiliate has published, caused to be published, or accepted for publication in any directory format.

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

In the FCC's Ameritech Order, FCC 97-298, ¶121, the FCC states that Section 271(c)(2)(B)(viii) requires BOCs to provide white page directory listings for customers of other carriers' telephone exchange service. However, the FCC concluded that it was not required to make, and did not make, any findings or conclusions with respect to Ameritech's compliance with the white page directory listings checklist item, because of Ameritech's failure to satisfy other checklist requirements. (EXH 1, FCC 97-298, ¶127)

#### FPSC'S INTERPRETATION OF SECTION 271 REQUIREMENTS

Section 271(c)(2)(B)(viii) requires BellSouth to provide white page directory listings for customers of other carriers' telephone exchange service. Staff interprets this section of the Act to require BellSouth to prove that it is providing white page directory listings for customers of its competing carriers' telephone exchange service. Staff further believes that the FCC's applicable rules and orders stated above, must be met in order for BellSouth to comply with this item. In addition, staff would note that the requirements and rates for white page directory listings have not been arbitrated in Florida, pursuant to Section 251 and 252 of the Act.

#### SUMMARY OF REQUIREMENTS BEING USED FOR THIS ISSUE

Staff generally agrees with the FCC's interpretation of the white page directory listings requirements, and we believe the FCC's interpretation is consistent with the Act. Our determination of BellSouth's compliance with checklist item viii is based on the requirements set forth in the Act and in FCC Rules 47 C.F.R. §51.319, §51.311, and §51.5.

Staff interprets compliance with this checklist item to be BellSouth's demonstration that once BellSouth receives the subscriber listings information submitted by an ALEC for publication, BellSouth sends this information in the same time and manner, as it does for its subscribers, to BellSouth Advertising and Publishing Company (BAPCO) to be published by BAPCO in the correct directory(ies). BellSouth has arranged with BAPCO to publish ALEC subscriber listings according to the same standards as BellSouth's subscribers. (EXH 2, p.82) Therefore, ALEC subscribers shall receive no less favorable rates, terms and conditions for directory listings than are provided to BellSouth's subscribers. Staff believes that a satisfactory demonstration of these requirements will prove that nondiscriminatory access has been achieved, and that the quality of the access provided to ALECs for white page listings is at least equal in quality to that which BellSouth provides itself. Thus, BellSouth would meet the

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

requirements of FCC Rules 47 C.F.R. §51.319, §51.311, and §51.5, and be deemed in compliance with section 271(c)(2)(B)(viii).

Staff would note that although several parties take issue with the ordering of unbundled network elements (UNEs) and resold services that include white page directory listings, staff addresses these concerns of whether or not the ordering of white page directory listings through UNEs and resale are being provided in a nondiscriminatory manner in checklist items ii (Issue 3) and xiv (Issue 15), respectively. In addition, a determination of whether or not the rates for additional and optional white page directory listings are cost-based will be addressed in checklist item ii (Issue 3).

#### STAFF DISCUSSION OF POSITIONS

##### Description of Service

BellSouth will arrange with its directory publisher (BAPCO) to make available to any ALEC, for their subscribers, white page directory listings which include the subscriber's name, address, and telephone number. ALEC subscribers will receive no less favorable rates, terms and conditions for directory listings than are provided to BellSouth's subscribers. Subscriber primary listing information in the white pages, received in the standard format, is provided at no charge to an ALEC or an ALEC's customer. Additional listings and optional listings in the White Pages will be provided at rates set forth in BellSouth's intrastate General Subscriber Service Tariff. Listings for an ALEC's residential and business customers shall be included in the appropriate white pages or local alphabetical directories. These listings will be included with all other LEC's listings without any distinction as to the LEC providing the local service. Copies of such directories are delivered to an ALEC's subscribers at no charge. (Scheye TR 450-451)

##### Status of Provision of Service

BellSouth states that it has handled thousands of white page directory listing requests by ALECs in Florida. (EXH 2, pp.42-80) The ALECs agree with BellSouth that the directory listings that they have submitted to BellSouth have been included in the appropriate directories. For example, MCI and ICI state that BellSouth has included all of their white page directory listings in the appropriate white pages or alphabetical directories. (EXH 111, p.371; EXH 79, p.275) In addition, both MCI and ICI state that BAPCO has published their listings in the appropriate

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

directories, and these directories have been delivered to their subscribers. (EXH 111, pp.371-372; EXH 79, pp.275-276) Further, the parties agree that BellSouth is not charging the ALECs for submitting standard white page directory listings. (EXH 111, pp. 382,384; EXH 79, pp.286,288) BellSouth also states that it is providing the same timeliness and level of confidentiality for ALEC directory listings as it provides to itself, and no party has disputed this claim. (EXH 6; p.175; EXH 111, p.383)

#### Specific Intervenor's Positions

The intervenors, excluding ACSI, state that BellSouth has not complied with the requirements of Section 271(c)(2)(B)(viii) and the applicable rules promulgated by the FCC. In support of their position, Intermedia (ICI) and MCI cite specific problems with regard to white page directory listings, while the rest of the intervenors make either a general statement or offer reasons for noncompliance based solely on the experiences of other ALECs. For example, AT&T, WorldCom, Time Warner and ACSI have either not requested white page listings or have done so on a very limited or test basis. Further, it appears that the main concerns surrounding white page directory listings are problems with directory assistance and UNEs, and not with the actual provision of white page directory listings.

Intermedia stated that it has submitted white page directory listings to BellSouth on a limited basis, and these white page directory listings have been published by BAPCO in Orlando and Miami. (Strow TR 2390) Intermedia's problem with white page directory listings is that it has requested certain UNEs from BellSouth, but BellSouth has not provided the requested UNEs to ICI. Intermedia states that because the requested UNEs have not been provided, ICI has not had an opportunity to update the directory listings database. Therefore, Intermedia believes that BellSouth has not demonstrated that it can provide directory listings in connection with the requested unbundled network elements. (EXH 79, p.273; Strow TR 2390)

However, Intermedia's witness Strow testified that the problem of updating the directory listings database was "fairly minimal." (EXH 78, p.58) Witness Strow explained that although ICI has experienced some problems of listings not showing up in the directory listings database, which was the result of a miscommunication between BellSouth and Intermedia, this process is currently working smoothly. When asked if BellSouth has met the checklist requirements for white page directory listings witness Strow stated:

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

For the most part, yes. We don't have really an issue there. (EXH 78, p.58)

MCI stated that it has been provided with white page directory listings in BellSouth directories. (EXH 111, pp. 369,384) However, MCI experienced problems with one of its white page listings. MCI stated that the problem it experienced was BellSouth had the wrong telephone number for Greater Christian School in its directory assistance database. MCI contends that it repeatedly had to request a correction from BellSouth. BellSouth corrected the problem, but then shortly thereafter, the incorrect number appeared in the directory listing. MCI stated that eventually the telephone number in the directory listing was corrected, but MCI does not know what caused the problem. (EXH 111, pp.386-387)

Sprint's witness Closz testified that Sprint's customers are receiving directory listings in the white pages. Witness Closz also stated that there were some problems early on, such as not having white page listings listed appropriately and not having the main number appear correctly. However, witness Closz stated that these problems were more from a perspective of directory assistance, and they have been corrected. (EXH 89, p.31)

#### **BST's Response to Intervenor's Positions**

BellSouth does not address the intervenors' specific problems, nor does BellSouth dispute that the problems raised by the ALECs existed; however, BellSouth believes that the problems with white page directory listings have been corrected. In addition, BellSouth believes it has demonstrated that it is providing, and can offer through its SGAT, white page directory listings for customers of other carriers' telephone exchange services in compliance with Section 271(c)(2)(B)(viii) of the Act. (Scheye TR 452)

BellSouth believes that it meets this checklist item, because it has arranged with its publishing affiliate, BellSouth Advertising and Publishing Company (BAPCO), to publish ALECs' subscriber listings which include the subscriber's name, address and telephone number. BellSouth contends that listings for an ALEC's residential and business customers are being included in the appropriate White Pages or alphabetical directories, and copies of such directories are delivered to an ALEC's subscribers at no charge. Further, the ALECs' listings are published without any distinction as to the LEC providing the local service. (Scheye TR 450,451)

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

Witness Scheye further testified that BellSouth will provide ALECs with the proper format for submitting subscriber listings. The procedures for submitting subscriber listings are provided to each ALEC in the ALEC ordering guidelines. In addition, BellSouth states that the directory listing information "will be accorded the same level of confidentiality provided to BellSouth's own directory listing information." (TR 451)

BellSouth states that an ALEC subscriber's primary listing information that is submitted in the standard format, which includes the subscriber's name, address and telephone number, is printed in the appropriate white pages at no charge. (TR 451)

BellSouth states that all agreements negotiated with resellers and facilities-based carriers have included arrangements for the provision of directory listings in the White Pages. (Scheye TR 452) Forty-five of these agreements include a separate signed agreement with BellSouth's publishing affiliate, BAPCO. (EXH 2, pp.29,31) As of July 11, 1997, ALECs in Florida have submitted over 17,800 directory listings to BellSouth for inclusion in the appropriate white page directories. (EXH 2, pp.42-80)

BellSouth states that it is providing directory listings and directory distribution at no charge. In addition, BellSouth states that it has provided the appropriate database format for ALECs to submit directory listing information, and enhanced listings are being made available to ALEC customers at the same terms and conditions offered to BellSouth customers. (TR 452) Witness Scheye also states that since BellSouth's SGAT includes these provisions, it is in compliance with the Act's checklist requirements. (TR 452)

#### Staff Analysis of the Problems

It appears that BellSouth has corrected the directory listing problems raised by the parties. The problems identified by the parties, for the most part, do not address why BellSouth has not met the requirements of Checklist item viii (Issue 9), but instead address compliance with the directory assistance database which is covered in Checklist item vii (Issue 8), and unbundled network elements which are covered in Checklist item ii (Issue 3). Further, it does not appear that any party has taken issue with BellSouth's SGAT provisions for white page directory listings.

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

SUMMARY

To date, the FCC has not made a determination of whether or not any Bell Operating Company has met the requirements for white page directory listings, pursuant to Section 271 of the Act. However, the FCC has established rules regarding white page directory listings, and staff does not disagree with them. In addition, the FPSC has not arbitrated the rates, terms, or conditions for white page directory listings pursuant to Section 251 and 252 of the Act.

Staff believes that BellSouth has met the FPSC's interpretation of the Act and the applicable FCC rule requirements. Section 271(c)(2)(B)(viii) requires BellSouth to provide white page directory listings for customers of other carriers' telephone exchange services. Further, FCC Rules §51.319, §51.311, and §51.5 must be met in order for FPSC staff to consider this item to comply with this checklist item. The parties have not raised an issue with these requirements, and it appears that BellSouth is now providing white page directory listings as required by the applicable rules and orders concerning this item.

FCC rule §51.319 requires incumbent LECs to provide nondiscriminatory access to white page directory listings on an unbundled basis to any requesting telecommunications carrier for the provision of a telecommunications service. Staff believes BellSouth has met this requirement. As of July 11, 1997, BellSouth had processed almost 18,000 white page directory listings for ALECs in Florida. (EXH 2, pp.42-80) As stated earlier, MCI, ICI and Sprint have all submitted white page directory listings to BellSouth for publication. Further, ICI and MCI affirmatively state that all of their white page directory listings have been included in the appropriate white pages. MCI and ICI also state that their white page directory listings have been published by BAPCO. (EXH 111, pp.371-372; EXH 79, pp.275-276) For example, MCI's white page directory listings have been published by BAPCO in Boca Raton, Coral Springs, Fort Lauderdale, Homestead, Miami Beach, Miami, Pompano Beach, and Orlando. (EXH 111, p.370) MCI further states that BellSouth does not distinguish MCI listings in its directories or when MCI listings are provided to a third party. (EXH 111, p.380)

FCC rule §51.311 states that the quality of a UNE, as well as the quality of the access to the UNE, that an incumbent LEC provides to a requesting telecommunications carrier shall be the same for all telecommunications carriers requesting access to that network element, and that the quality provided to the ALEC shall be at least equal in quality to that which the incumbent LEC provides



DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

to itself. Staff believes that BellSouth has met this requirement. BellSouth has arranged with its publishing affiliate, BAPCO, to publish ALEC subscriber listings according to the same standards as BellSouth's subscribers. This includes the same lead time, timeliness, confidential treatment, format, and content of listings. (EXH 6, pp.169,175) According to BellSouth, its arrangement with BAPCO is for ALEC subscriber listings to be incorporated and published in the same manner and interfiled with BellSouth's subscriber listings. (EXH 6, p.168) In addition, neither BellSouth nor BAPCO distinguishes an ALEC's subscriber listings from BellSouth's subscriber listings in their directories. However, within BellSouth's directory database, listings are identified by carrier. (EXH 6, pp.171-172) BellSouth states that the reason for identifying the listings by carrier is so BAPCO can provide the ALEC with review pages of subscriber listings upon request. (EXH 6, p.173) The parties have not disputed that BellSouth is providing white page directory listings in the same quality to them, as it provides to itself.

Based on the evidence in the record, staff believes BellSouth has provided, and can generally offer, white page directory listings for customers of other carriers' telephone exchange service. Staff believes that BellSouth has demonstrated that it is providing nondiscriminatory access to white page directory listings, in accordance with 47 C.F.R. §51.319 and §51.311. Staff also believes that the subscriber listings provided to other carriers have met the definition of "directory listings" as defined in 47 C.F.R. §51.5. Staff would again note that its determination of BellSouth's compliance with this checklist item does not include an analysis of whether or not BellSouth is providing nondiscriminatory access to the ordering of UNEs and resold services that include white page directory listings, nor does the analysis include a determination of whether or not the rates for additional and optional white page directory listings are cost-based. These issues are discussed in checklist items ii (Issue 3) and xiv (Issue 15).

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

ISSUE 10: Has BellSouth provided nondiscriminatory access to telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to section 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC? (Wiggins)

RECOMMENDATION: Yes. Based on the testimony, staff believes that BellSouth has met the checklist item (ix) for providing nondiscriminatory access to telephone numbers for assignment to other telecommunications carrier's telephone exchange service customers.

POSITION OF THE PARTIES

ACSI: The interconnection agreement requires nondiscriminatory access to these services but ACSI does not have experience in Florida.

AT&T: No. AT&T cannot order telephone numbers on a nondiscriminatory basis. BellSouth must establish methods and procedures for assignment of telephone numbers that apply to all competitors, including BellSouth, and further must implement nondiscriminatory electronic ordering procedures and capabilities.

BST: Yes. BellSouth's Statement provides nondiscriminatory access to telephone numbers. Also, BellSouth, as the North American Number Plan administrator for its territory, ensures that ALECs have nondiscriminatory access to telephone numbers for assignment to their customers. As of June 23, 1997, BellSouth had assigned a total of 140 NPA/NNX codes for ALECs in Florida.

FCCA: No. The testimony of individual carriers demonstrates that BellSouth has not actually provided these items in Florida as required by the Act and applicable rules.

FCTA: No position.

ICI: Yes, BellSouth has provided nondiscriminatory access to telephone numbers to Intermedia.

MCI: No. In situations where an ALEC does not have an NXX code, BellSouth imposes significant restrictions on an ALEC's ability to assign telephone numbers. For example, an ALEC is permitted to assign a maximum of six telephone numbers per customer and does not receive real-time verification of the number assignment. In

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

addition, ALECs do not have access to the ATLAS database used by BellSouth to manage available vanity numbers and the selection of such numbers, though LENS, is a cumbersome process.

MFS/WorldCom: No, BellSouth has not provided nondiscriminatory access to telephone numbers as required by the Act due to the failure of BellSouth's electronic interfaces used for telephone number assignment.

Sprint: No. Access to telephone numbers should be nondiscriminatory. Competitors to BellSouth should have non-discriminatory access to sufficient blocks of telephone numbers to offer service. Service order procedures should be nondiscriminatory.

TCG: No. BellSouth has not met its burden of affirmatively demonstrating that it has provided nondiscriminatory access to telephone numbers for assignment to the other telecommunications carrier's telephone exchange service customers, pursuant to Section 271(c)(2)(B)(ix) and applicable rules promulgated by the FCC.

**STAFF ANALYSIS:**

**INTERPRETATION OF THE ACT'S REQUIREMENTS**

**SECTION 271 REQUIREMENTS**

Section 271(c)(2)(B)(ix) of the Act requires that [u]ntil the date by which telecommunications numbering administration guidelines, plan, or rules are established, the ILEC must provide nondiscriminatory access to telephone numbers for assignment to other telecommunications carriers' telephone exchange service customers. It also requires that after that date, the ILEC must be in compliance with such guidelines, plan, or rules. The Act at Section 251(b)(3) maintains that each local exchange carrier has the duty to permit all providers nondiscriminatory access to telephone numbers.

**FCC'S INTERPRETATION OF SECTION 271 REQUIREMENTS**

FCC Rule § 51.217 defines nondiscriminatory access as the ability of the competing provider to obtain access that is at least equal in quality to that of the providing LEC. The rule also states that a LEC shall permit competing providers to have access

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

to telephone numbers that is identical to the access that the LEC provides to itself.

On August 8, 1996, in the FCC's Second Report and Order on the Administration of the North American Numbering Plan (Order No. 96-333), the FCC interpreted the Act's requirements regarding nondiscriminatory access to telephone numbers. Specifically, a LEC providing telephone numbers must permit access to these numbers in the same manner as the access that the LEC provides itself. (Order No. 96-333, ¶106)

On August 19, 1997, in the FCC's Ameritech Order (Order No. 97-298), the FCC did not address the Michigan Commission's determination that Ameritech met the checklist item regarding nondiscriminatory access to telephone numbers. (Order No. 97-298, ¶122)

#### **FPSC'S INTERPRETATION OF SECTION 271 REQUIREMENTS**

Staff interprets the 271 checklist requirements regarding nondiscriminatory access to telephone numbers literally as promulgated by the Act and FCC rules. Staff agrees with the checklist requirements delineated by the Act and the FCC.

#### **SUMMARY OF REQUIREMENTS BEING USED FOR THIS ISSUE**

Staff interprets Section 271(c)(2)(B)(ix), Section 251(b)(3), and FCC Rule § 51.217 to maintain that as the North American Numbering Plan administrator for its territory, BST must provide nondiscriminatory access to telephone numbers to competing telecommunications carriers that is at least equal in quality to the access the LEC provides itself. Staff contends that BST must meet the requirements cited above to be in compliance with this checklist item.

#### **STAFF DISCUSSION OF POSITIONS**

Several intervenors indicate that BST has not provided nondiscriminatory access to telephone numbers as required by the Act and the FCC rules. (AT&T TR 2670; MCI BR p.82; Sprint BR p. 10; TCG BR p.28) AT&T and Sprint point out that as the administrator of telephone numbers in its service area, BST must implement methods and procedures to assure that telephone number assignments are made in a nondiscriminatory fashion. (Hamman TR 2670; Sprint

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

BR p. 10) AT&T's witness Hamman asserts that these methods and procedures do not exist today. (Hamman TR 2670) Witness Hamman states that the methods and procedures that BST provides as evidence are the industry standards. However, the witness notes that BST needs to provide the methods and procedures that BST uses for the assignment of telephone numbers. (EXH 94, pp.129-130)

MCI contends that BellSouth has failed to activate MCI's NXX codes in a timely manner, thereby precluding MCI customers from reaching BellSouth customers. MCI's witness Gulino asserts that on October 30, 1996, MCI informed BST of the problems with the MCI NXXs. Witness Gulino states that the problem left MCI's customers isolated. Witness Gulino also states that the isolation lasted until November 5, 1996, before BST corrected the problem. (Gulino TR 3147-3150) Furthermore, witness Gulino maintains that in June of 1997, BST did not load MCI's NXXs into its local switch in Miami causing incoming calls to MCI's customers to receive an all circuits busy recording. MCI notes that BST did correct the problems. (EXH 110 p.98; BR p.86)

Staff notes that the intervenors raise a number of concerns about the OSS functional capabilities of LENS regarding searches, assignment, reservation, ordering, and selection of telephone numbers. For example, ALECs without an NXX code can only reserve six numbers per order and 100 numbers total or five percent of the available numbers in any given central office. (Bradbury TR 2844-2845; Martinez TR 3241) MCI also states that ALECs do not have access to the ATLAS database used by BST to manage available vanity numbers. (Martinez TR 3241) Staff points out that these concerns will be addressed in Issue 3.

BST's witness Milner contends that as the North American Numbering Plan (NANP) Administrator for its territory, BST ensures that ALECs have nondiscriminatory access to telephone numbers for assignment to their customers. (TR 791) Witness Scheye states that BST provides numbering resources pursuant to the Bellcore Guidelines regarding telephone number assignment. (TR 453) Witness Scheye also states that as the current code administrator, BST has developed over 266 pages of procedures for the assignment of telephone numbers (NXX codes). (TR 453-454; BR p.63) Furthermore, AT&T's witness Hamman confirms that there are methods and procedures for the assignment of telephone numbers that apply equally to all LECs, including BST. (EXH 94, p.129) Witness Milner asserts that within the procedures it instructs ALECs on how to request assignment of NXX Codes. The witness also asserts that BST

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

processes ALECs' requests for NXX codes in the same manner as it does for its own NXX code requests. (EXH 34, p.115-118) Essentially, BST contends that the 140 NXX codes that it has assigned ALECs in Florida exemplifies that it provides nondiscriminatory access to telephone numbers pursuant to the industry established procedures. (EXH 32, Volume 9-1) (Milner TR 790-791) Witness Scheye points out that nondiscriminatory access to telephone numbers has not been disputed in the arbitration proceedings. (TR 454) Additionally, several intervenors indicate that BST adequately fulfilled their NXX code requests. (Strow EXH 20, p.292; EXH 33, p.198; EXH 124) ICI further notes that it believes that BST is providing nondiscriminatory access to telephone numbers to Intermedia. (EXH 19, p.59)

BST contends that in Orlando an MCI NXX code did not get activated in a particular switch for some reason. BST's witness Scheye asserts that NXX code activation is not an ongoing problem or something that happens often. Witness Scheye states that this was an isolated incident. Witness Scheye indicates that BST has procedures in place to ensure that NXX codes are activated in a timely manner. The witness notes that this is evident because BST has activated almost 500 codes across the region with very few complaints. The witness also states that this proves that BST's procedures are working. In addition, BST maintains that MCI attempts to create a dialing parity issue when none exists. (EXH 21, pp.72-73; BST BR p.70)

The SGAT indicates that BST provides numbering resources pursuant to the Bellcore Guidelines regarding number assignment as discussed above. It also states that an ALEC will be required to complete the NXX code application in accordance with the Industry Carriers Compatibility Forum, Central Office Codes Assignment Guidelines, ICCF 93-0729-010. BST contends that the procedures for providing access to telephone numbers in Florida have been filed with the Commission in EXH 32 (Volume 9-1). Additionally, the SGAT specifies that at such time as BST is no longer the NANP Administrator, BST will comply with the final non-appealable guidelines, plan or rules adopted pursuant to 47 U.S.C. section 251(e), which addresses the creation or designation by the FCC of the numbering administrator.

#### SUMMARY

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

Staff agrees with BST that as the Numbering Administrator for its territory, BST ensures that ALECs have nondiscriminatory access to telephone numbers for assignment to their customers. Staff notes that BST provides numbering resources pursuant to the Bellcore guidelines regarding numbering assignment which are the industry standards. Staff points out that BST filed these guidelines and procedures with the Commission (EXH 32, Volume 9-1). Furthermore, AT&T's witness Hamman asserts that there are methods and procedures for the assignment of telephone numbers that apply equally to all LECs, including BST. (EXH 94, p.129) Additionally, several intervenors indicate that BST adequately fulfilled their NXX code requests. (EXH 20, p. 292; EXH 33, p.198; EXH 124) Intermedia also notes that BST has provided nondiscriminatory access to telephone numbers to Intermedia. (EXH 78, p.59) Conversely, staff acknowledges MCI's arguments regarding BST's failures to activate NXX codes in a timely manner. However, staff does not believe that the arguments raised by MCI concerning the activation of NXX codes are sufficient to confirm that this is an ongoing problem. Staff does not believe this is an ongoing problem because BST has activated 140 NXX codes in Florida, with very few isolated incidents of NXX code failure. Therefore, based on the testimony, staff believes that BellSouth has met checklist item (ix) for providing nondiscriminatory access to telephone numbers for assignment to other telecommunications carriers' exchange service customers.

Staff points out that the intervenors do not identify concerns with the proposed SGAT regarding nondiscriminatory access to telephone numbers. Staff acknowledges that the proposed SGAT notes that BST filed procedures for providing nondiscriminatory access to telephone numbers with the Commission (EXH 32, Volume 9-1), and within the procedures it discusses the numbering assignment guidelines. Thus, staff believes that the proposed SGAT would be sufficient to satisfy checklist item (ix) regarding nondiscriminatory access to telephone numbers for assignment to other telecommunications carrier's telephone exchange service customers.

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

ISSUE 11: Has BellSouth provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to section 271(c)(2)(B)(x) and applicable rules promulgated by the FCC? (Fogleman)

RECOMMENDATION: Yes, BellSouth has provided nondiscriminatory access to databases and associated signaling necessary for call routing and completion, pursuant to section 271(c)(2)(B)(x) and applicable rules promulgated by the FCC.

POSITION OF THE PARTIES

ACSI: The interconnection agreement requires nondiscriminatory access to these services but ACSI does not have experience in Florida.

AT&T: No. There are no methods and procedures in place for nondiscriminatory access to databases and associated signaling, nor has testing been conducted to determine how BellSouth will provide access to its Advanced Intelligent Network (AIN). In addition, the prices in BellSouth's SGAT for databases and signaling have not been approved by the Commission.

BST: Yes. BellSouth's Statement provides access to the signaling elements necessary for call routing and completion, including Signaling Links, Signal Transfer Points (STPs), and Service Control Points (SCPs). Moreover, from January through April 1997, ALECs and other telecommunications providers made approximately 8 million queries to BellSouth's Toll-Free Number database, which evidences the functional availability of these services.

FCCA: The testimony of individual carriers demonstrates that BellSouth has not actually provided this item in Florida as required by the Act and applicable rules.

FCTA: No position.

ICI: No, BellSouth has not provided Intermedia with nondiscriminatory access to databases and associated signaling necessary for call routing and completion in conjunction with requested UNES.

MCI: No. BellSouth is not providing nondiscriminatory access to its AIN database nor to its Service Creation Environment (SCE)/Service Management System (SMS). Further, BellSouth is not permitting nondiscriminatory access to its Toll-Free database for



DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

the purpose of obtaining the routing information needed for a Signaling System 7 (SS7) capable carrier to complete 800/888 calls.

MFS/Worldcom: No, BellSouth has not provided nondiscriminatory access to databases and associated signaling because BellSouth has not provided the methods and procedures that show nondiscriminatory access.

Sprint: No. Telecommunications carriers should be allowed to have access to directory assistance, Line Information Database (LIDB), AIN, Toll-Free Number, and other databases and have access to such resources equal in price, functionality, and quality as do incumbent local exchange carriers. Interconnection should be seamless and equivalent to that of BellSouth. Nondiscriminatory electronic access should be provided for other databases necessary for local resale. Prices should be cost-based.

TCG: No. BellSouth has failed to provide the SS7 point codes as required in TCG's Interconnection Order.

STAFF ANALYSIS:

INTERPRETATION OF THE ACT'S REQUIREMENTS

SECTION 271 REQUIREMENTS

Section 271 of the Act requires BellSouth to provide nondiscriminatory access to databases and associated signaling necessary for call routing and completion. Furthermore, § 51.319(e)(2)(vi) and § 51.319(e)(3)(E) of the FCC rules require BellSouth to provide a requesting telecommunications carrier with access to call-related databases and the service management system in a manner that complies with § 222 of the Act. Section 222 of the Act relates to the privacy of customer information.

FCC'S INTERPRETATION OF SECTION 271 REQUIREMENTS

Neither the Ameritech nor the SBC 271 orders issued by the FCC provide guidance in the interpretation of the requirements for this checklist item. However, the FCC has addressed some requirements in its interconnection order, specifically § 51.319(e) of its rules.

The FCC addresses two scenarios in this section. In the first scenario, an ALEC purchases switching capability from the ILEC. In this case, the ILEC is required to provide access to its signaling network and elements in the same manner as it does for itself. In

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

the second scenario, the ALEC has deployed its own switching facilities. In this instance, the ILEC is required to provide access to its signaling network for each of the ALEC's switches.

The FCC concludes that information to format and enter data into the ILEC's service management system must be provided if requested by an ALEC. An ILEC must also provide to a requesting ALEC the same access to design, create, test, and deploy AIN-based services, through the same service creation environment that is used by the incumbent. The FCC notes that the state commission shall consider whether mechanisms mediating access to an ILEC's Advanced Intelligent Network (AIN) service control points are necessary and develop safeguards.

#### FPSC'S INTERPRETATION OF SECTION 271 REQUIREMENTS

The arbitrated interconnection agreement between AT&T and BST approved by Orders No. PSC-96-1579-FOF-TP, pp.19-21, and PSC-97-0300-FOF-TP, pp.3-4, addressed mediated access to BST's AIN. In Order No. PSC-96-1579-FOF-TP, pp.19-21, the Commission found that there was a sufficient record to warrant the use of a mediation device by BST's. AT&T later proposed language that would have required BST's local switch to recognize AT&T's Service Control Points (SCPs) at parity with BST's SCPs in all cases, including when a mediation device is used. BST proposed that this section of the agreement be deleted. The Commission, however, denied AT&T's request. (Order No. PSC-97-03000-FOF-TP, pp.3-4)

Section 51.319(e)(2)(vi) and § 51.319(e)(3)(E) of the FCC rules require BST to provide a requesting telecommunications carrier with access to call-related databases and the service management system in a manner that complies with § 222 of the Act. Section 222 of the Act and Section 364.24(2), Florida Statutes, protect the privacy of customer proprietary network information. This Commission has found that requiring ALECs to obtain prior written authorization from the customers before being permitted access to customer service records would be cumbersome. (Order No. PSC-96-1579-FOF-TP) Both §222(c)(1) of the Act and 364.24(2), Florida Statutes, impose on all carriers the obligation to use customer account information responsibly. ILECs are not the sole guardians of the customer's privacy. ALECs have that duty as well. ALECs are only required to issue a blanket letter of authorization to BellSouth which states that they will obtain the customer's permission before accessing the customer service records. (Order No. PSC-96-1579-FOF-TP, p.81)

#### SUMMARY OF REQUIREMENTS BEING USED FOR THIS ISSUE

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

Section 271(c)(2)(B)(x) of the Act states that RBOCs must through either access or interconnection, provide or generally offer "nondiscriminatory access to databases and associated signaling necessary for call routing and completion." Staff contends that this checklist item's scope is limited only to access to those databases necessary for call routing and completion, and associated signaling necessary for call routing and completion.

The term "nondiscriminatory access," as used in subparagraph 271(c)(2)(B)(x), should have the same meaning ascribed to that term as in Sections 251, 252, and other provisions of the 1996 Act. Specifically, the quality of access to databases and associated signaling necessary for call routing and completion must be equal between all carriers requesting access to this service. Furthermore, access to the database and associated signaling provided by an ILEC must be at least equal in quality to that which the ILEC provides to itself. In the event BellSouth develops technology to support new database capabilities based on its own service specification, it must also be willing to support the service specifications of third parties.

BellSouth must provide access to both databases and associated signaling that are needed to route and complete calls. Staff views § 51.319(e)(2)(i) of the FCC's rules, defining call-related databases, to include databases necessary for call routing and completion. Such databases include Line Information Database (LIDB), Toll-Free Number database, Automatic Location Identification/Data Management System (ALI/DMS), AIN database, and selective routing through AIN. Other databases, such as directory assistance databases, while falling into the broader category defined in § 51.319(e)(2)(i), are not necessary to meet this checklist item. The FCC requirements in § 51.319(3)(2)(i) are consistent with the Act. (EXH 1, FCC 96-325)

#### STAFF DISCUSSION OF POSITIONS

##### DESCRIPTION OF THE SERVICES

Signaling refers to the service provided by the BellSouth Signaling System 7 (SS7) signaling network. This network is separate from the network which carries voice messages. The signaling network complements the voice network in that it provides for call set-up, call status, call disconnection, and Transaction Capability Application Part (TCAP) query messaging to databases and AIN services. BellSouth's SS7 signaling network allows the ALEC to use this resource for signaling purposes as opposed to its voice trunks. This allows for quicker call set-up and disconnect, as

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

well as reduces the number of trunks required by a customer. (EXH 32, WKM-1, Book 10-4)

Signal Transfer Points (STPs) are signaling message switches that interconnect Signaling Links to route signaling messages between switches and databases. STPs enable the exchange of SS7 messages between switching elements, database elements, and STPs. STPs provide access to various BellSouth network elements such as local switching, databases, and third-party provided services. (EXH 24, p.18; EXH 32, WKM-1, Book 10-4)

Signaling Links are dedicated transmission paths carrying signaling messages between carrier switches and signaling networks. A Signal Link Transport is a set of two or four dedicated 56 kbps transmission paths between ALEC-designated Signaling Points of interconnection that provide a diverse transmission path and cross connect to a BellSouth STP. BellSouth provides connections between a switch or service switching point and a home STP and connections between two STP pairs in different company networks. (EXH 24, p.18; EXH 32, WKM-1, Book 10-4)

Service Control Points (SCPs) are databases that store, provide access, and the ability to manipulate information required to offer particular services. BellSouth provides the following SCP databases on an unbundled basis: LIDB, Toll-Free Number Databases, ALI/DMS, and AIN. (EXH 24, p.18)

The LIDB is a SCP transaction-oriented database that contains records associated with subscriber line numbers and special billing numbers. ALECs can query BellSouth's LIDB for validation of customer calling cards, billed-to-third-number and collect call acceptance. (EXH 24, p.18; EXH 32, WKM-1, Book 10-2) BellSouth will enter ALEC line information into its LIDB under the terms of the Line Information Database Storage Agreement attached to the SGAT. (EXH 19, RCS-1, pp.143-157)

Entry of line information into LIDB allows ALEC end users to participate in alternate billing arrangements such as collect or billed-to-third-number calls. Subscribing ALECs are required to interface with BellSouth's LIDB locations. BellSouth's LIDBs are located in Birmingham, Alabama and Atlanta, Georgia. (EXH 24, p.18)

There are no optional network features directly associated with this service. This service is available to ALECs in the same manner as it is currently available to IXC's. Common channel SS7 formats are employed to convey TCAP messages from the customer's network to BellSouth's regional STP. Responses from the LIDB are

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

returned to the same interface with SS7 signaling. (EXH 32, WKM-1, Book 10-2)

The Toll-Free Number database is a SCP that provides functionality necessary for toll-free number service. This service is provided under two situations: one in which the ALEC has its own switch and only requires access to the SCP database to obtain routing information, and one in which the customer does not have its own switch and therefore requires both routing information and subsequent routing of the call. (EXH 24, p.18; EXH 32, WKM-1, Book 10-1)

Under the first scenario, BST receives the query and sends it to the SCP, which responds with the appropriate routing information. Call completion is carried out by the ALEC's network. Under the second scenario, the BST network receives the call, typically over a Feature Group D trunk group, and launches a query to the SCP, which responds with routing information. The BST network then routes the call to the appropriate carrier or telephone number. (EXH 32, WKM-1, Book 10-1)

The basic toll-free database UNE includes optional features such as time-of-day, day-of-week or specific date routing, multiple carrier routing, customized area of service, and POTS number delivery. SS7 signaling is required. (EXH 32, WKM-1, Book 10-1)

ALI/DMS contains subscriber information used to route calls to the appropriate Public Safety Answering Point. It is based on the Emergency Service Number Code that has been assigned to the caller's address. (EXH 24, p.18; EXH 32, WKM-1, Book 7-7) This service is automatically provided when E911 service is provided for the ALEC, and there is no associated charge in the SGAT. (TR 724)

BellSouth offers ALECs access to its SCP-based AIN through BellSouth's Service Creation Environment (SCE) and Service Management System (SMS). SCE/SMS access allows ALECs to provide AIN services from either BellSouth's switches or their own. It also allows ALECs to create service applications using BellSouth's service creation toolkit, and to deploy those services using BellSouth's service management tools. ALECs will have the same access to SCE/SMS as BellSouth. (EXH 24, p.19; EXH 32, WKM-1, Book 10-3)

AIN Toolkit 1.0 will allow subscribers to access SS7 call information and AIN processing capabilities to create customized telephone services to meet the needs of end users. AIN Toolkit 1.0 will support these major classes of applications: routing, incoming

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

call screening, outbound call screening, routing, call analysis reports, or a combination of these. (EXH 32, WKM-1, Book 10-3)

With AIN Toolkit 1.0, ALECs may create services by accessing a BellSouth-provided SCE. The SCE provides a set of tools that allows the ALEC to configure AIN capabilities. The tools include a set of nodes (i.e., pre-defined building blocks of AIN service logic) that may be combined to create AIN service applications. Once a particular service application has been certified for network and service integrity, it will be distributed to the SCPs in BellSouth's network and will be available for implementation on end users' lines. Service activation and deactivation will be at the ALEC's discretion. (EXH 32, WKM-1, Book 10-3)

The BellSouth-provided SCE resides in the BellSouth AIN SMS. AIN SMS Access 1.0 provides the interface that allows ALEC personnel to access the SCE to create or modify AIN service applications. AIN SMS Access 1.0 also provides the capability for the ALEC to add or modify service subscription information, view service related information, and access reports. (EXH 32, WKM-1, Book 10-3)

AIN SMS Access 1.0 supports access security, data security, and security based on class of users. Access security requires a security card authentication process in addition to log-in and password identifiers to the SMS. AIN SMS Access 1.0 ensures that each BellSouth AIN SMS Access 1.0 ALEC customer can access only data that belongs to that ALEC customer. In addition, the ALEC controls which portion of data may be accessed by each of the ALEC's users. This type of security is based on class of users, which is selected for each user by the ALEC. AIN SMS Access 1.0 is required in conjunction with AIN Toolkit 1.0. (EXH 32, WKM-1, Book 10-3)

Selective routing allows ALECs to identify and selectively route subscriber calls from BellSouth's switch and services to an ALEC's switch and services. This would be accomplished using the same digits dialed by BellSouth subscribers. (EXH 24, p.19; EXH 32, WKM-1, Book 10-5)

In addition, calls may be selectively routed to BellSouth platforms allowing BellSouth to provide ALEC-branded services on behalf of the ALEC. Such services include operator assistance, directory assistance or repair services. Selective routing is provided through the use of line class codes, which are subject to exhaustion. (EXH 24, p.19)

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

There are two methods that an ILEC can use to perform selective routing. (EXH 33, p.93) The first method is through line class codes. This is the method this Commission has directed BST to use to provide selective routing to ALECs. (EXH 33, pp.32, 72) Line class codes are a resource within the switch itself and limited in number. BellSouth's witness Milner notes that the quantity of these line class codes can be expanded with vendor participation. (EXH 33, p.32) The second method is still in development and is considered to be the long-term solution for selective routing by BST. (EXH 33, p.93) It relies on the Advanced Intelligent Network. Because the two methods rely on deferent elements within the network, staff contends they fall under different checklist items. Selective routing provided through line class codes is based on a feature, function or capability of the switch and is addressed in Issue 8. MCI witness Martinez also noted that he "normally" would not categorize selective routing as a database in testimony before this commission. (TR 3350) On the other hand, selective routing provided through the Advanced Intelligent Network is based on a database to provide routing functions and is addressed in this issue.

Within its interconnection order, the FCC specifically addressed two scenarios describing how ILECs must allow access to databases and signaling elements. In instances where an ALEC purchases switching capabilities from the ILEC, the ILEC is required to provide access to both its signaling network and SCP elements in the same manner as it gains access. If, however, the ALEC has deployed its own switching facilities, the connection should be made in the same manner as the ILEC connects its own switches to the STP. The ILEC must also allow the ALEC to gain access to the incumbent's SCPs through the STP. In either case, the ILEC is not required to unbundle the signaling links that connect SCPs to STPs. BellSouth is also not required to permit a requesting ALEC to link its own STP directly to the BST switch or call-related database. (47 C.F.R. § 51.319(e))

#### STATUS OF PROVISION OF SERVICE

##### Signaling

As of June 1, 1997, one ALEC has interconnected to BellSouth's signaling network (SS7) directly. Seven other ALECs have accessed the signaling network through a hub provider. (EXH 32, WKM-1, Book 10-4)

##### LIDB

DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

BellSouth has indicated that the number of validation calls from outside its network from January through April 1997 totaled approximately 129 million. These queries include all queries from customers other than BellSouth's end users. (EXH 32, WKM-1, Book 10-2) BellSouth witness Scheye (BellSouth) notes that while BellSouth has LIDB agreements in place with several ALECs, no ALEC has requested access. (TR 513; EXH 21, p.283) He suggests that ALECs may be gaining access through an IXC or a third-party hub provider. (EXH 21, p.283)

#### 800 Database

BellSouth noted that the quantity of non-BellSouth queries to its Toll-Free Number databases totaled 8 million from January through April 1997. This value is for BellSouth's entire nine state service territory. (EXH 32, WKM-1, Book 10-1) BellSouth witness Scheye notes, however, that as of August 15, 1997, no ALEC had requested SS7 access to its 800 database. (EXH 21, p.284) This would suggest that the source of access is through a third-party provider.

#### ALI/DMS

ALI/DMS is part of the E911 database that routes emergency calls to the proper Public Safety Answering Point. (TR 724; EXH 32, WKM-1, Book 7-7) Seven ALECs are sending mechanized updates to BellSouth's E911 Database in Florida. Eighty-eight E911 trunks were in service as of June 1, 1997.

#### AIN

BellSouth's open AIN had not been accessed by any ALEC throughout its entire service territory as of July 1, 1997. BellSouth noted, however, that there are two market trials underway in Florida. (EXH 32, WKM-1, Book 10-3)

#### Selective Routing

Only one ALEC has requested selective routing using line class codes in BellSouth switches in Georgia. (EXH 32, WKM-1, Book 10-5) BellSouth witness Milner noted that testing of selective routing using AIN will likely begin in the first quarter of 1998 in Louisiana. (EXH 33, pp.93-94)

#### DISCUSSION OF SPECIFIC INTERVENORS' POSITIONS

AT&T's witness Hamman stated that the methods and procedures in place are not sufficient to show that BellSouth is providing



DOCKET NO. 960786-TL  
DATE: OCTOBER 22, 1997

nondiscriminatory access to databases and signaling necessary for call routing and completion. (TR 2671) Within its post-hearing briefs, AT&T specified that testing has not been conducted to determine how AIN access will be provided. Specifically, AT&T contends that the issue of mediated access has not been resolved. Additionally, in its post-hearing brief, AT&T objected to the prices for databases and signaling because they have not been approved by this Commission. (AT&T BR p.75)

Intermedia's witness Strow noted three grievances. First, ICI contended that the AIN Toolkit that BellSouth has made available does not contain the functions to allow ALECs to create two specific AIN services that BellSouth currently provides. (TR 2438) Second, ICI noted that customer service numbers that were used to connect BellSouth's customers to BellSouth's customer service representatives were blocked from ICI's customers. (EXH 78, p.61) Third, ICI asserted that because BellSouth has not yet provided ICI the requested UNEs, it has effectively not provided the databases and associated signaling necessary for call routing and completion. (TR 2393)

Both MCI witnesses Gulino and Martinez argue that BellSouth has not meet the requirements of this checklist item for several reasons. MCI witness Gulino asserts that ALECs cannot get access to BellSouth's AIN database, or create programs via BST's SCE/SMS. (TR 3146) MCI had looked into the requirements for BellSouth's AIN Toolkit approximately two years ago and had created an AIN service on BellSouth's platform. (EXH 113, p.186) Because of the reluctance of other RBOCs to provide this kind of access, MCI discontinued discussion relating to the AIN Toolkit. (EXH 113, p.186)

Another area of contention relates to the data necessary for Directory Services listings for independent telephone companies and other ALECs. (EXH 111, 397) MCI points out that page 27 of the SGAT states that BellSouth will provide LEC-to-LEC Common Channel Signaling (CCS) to an ALEC, except for call return. MCI believes that this restriction is in violation of the federal Act. (Martinez TR 3295)

MCI witness Martinez's primary complaint, however, relates to access to BellSouth's Toll-Free Number database. (TR 3275, 3293-3295) Martinez describes three possible scenarios and their associated concerns. In the first scenario, the ALEC switch does not have the necessary functionality to be a signal point (SP) on